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FACSIMILE TRANSMISSION COVER SHEET

DATE: January 20, 2004

TO: Examiner Jennine M. Brown
Group Art Unit 1755
U.S. Patent and Trademark Office

RE: **RCE, Preliminary Submission**
Papers as Filed on August 14, 2003
U.S. Patent Appln. Serial No. 09/670,399
By: WASHIZU, Masao et al.
Attorney Docket: 001268

FROM: Donald W. Hanson

FAC. TEL. NO.: 571-273-1364

NUMBER OF PAGES (INCLUDING THIS COVER SHEET) 21

PLEASE ACKNOWLEDGE SAFE AND CLEAR RECEIPT OF ALL PAGES BEING SENT

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CARD NO: 04315

U.S. Patent Application Docket No: 001268
Serial No: 09/670,399 Filed: 09/27/00
Patent Number: Issued:
Applicant(s): WASHIZU, Masao et al.

Papers filed herewith on: 08/14/03

Fees: \$ 1,606.00

Req. for Ext. of Time

Other: RCE Appln; Amd Transmittal; Preliminary
Submission



COMMISSIONER OF PATENTS

Receipt is hereby acknowledged of the papers filed as indicated
in connection with the above identified case.

DWH/NK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

WASHIZU, Masao et al.

Group Art Unit: 1743

Serial No.: 09/670,399

Examiner: Jennine M. Brown

Filed: September 27, 2000

For: METHOD FOR SEPARATING SUBSTANCES USING DIELECTROPHORETIC FORCES

AMENDMENT TRANSMITTALCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 14, 2003

Sir:

Transmitted herewith is an Amendment in the above-identified application. The fee has been calculated as shown below:

	CLAIMS AS AMENDED						
	Claims Remaining After Amendment	Highest Number Previously Paid For		Present Extra	Small Entity	Large Entity	Additional Fee
Total Claims	56	54	=	2	X \$9	X \$18	\$36.00
Independent Claims	12	12	=	0	X \$42	X \$84	
First Presentation of Multiple Dependent Claims (Previously paid for)					\$140	280	
TOTAL FEES ENCLOSED:							\$36.00

XX

Enclosed please find our check in the amount of **\$36.00** for the additional claims fee in connection with this amendment. The Commissioner is hereby authorized to charge payment for any additional fees associated with this communication or credit any overpayment to Deposit Account No. 01-2340. Two duplicates of this sheet are attached.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP


Donald W. Hanson
Attorney for Applicants
Reg. No. 27,133Atty. Docket No. 001268
Suite 1000, 1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930
DWH/nk

23850

PATENT TRADEMARK OFFICE

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Application Number</td> <td>09/670,399</td> </tr> <tr> <td>Filing Date</td> <td>September 27, 2000</td> </tr> <tr> <td>First Named Inventor</td> <td>Washizu, Masao et al</td> </tr> <tr> <td>Group Art Unit</td> <td>1743</td> </tr> <tr> <td>Name of Examiner</td> <td>Jennine M. Brown</td> </tr> <tr> <td>Attorney Docket No.</td> <td>001268</td> </tr> </table>	Application Number	09/670,399	Filing Date	September 27, 2000	First Named Inventor	Washizu, Masao et al	Group Art Unit	1743	Name of Examiner	Jennine M. Brown	Attorney Docket No.	001268
Application Number	09/670,399												
Filing Date	September 27, 2000												
First Named Inventor	Washizu, Masao et al												
Group Art Unit	1743												
Name of Examiner	Jennine M. Brown												
Attorney Docket No.	001268												

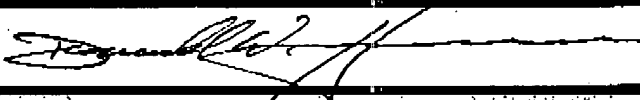
Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for the continued examination of a utility or plant application filed on or after June 8, 1995.

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53 (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar 20, 2000) 1233 Off. Gazette Pat Office (April 11, 2000) which established RCE practice.

1. **Submission Required Under 37 C.F.R. § 1.114**
 - a. ☒ **Previously submitted**
 - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered)
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. ☐ Other _____
 - b. ☒ **Enclosed**
 - i. ☐ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☒ Other Preliminary Submission and Petition for Extension of Time
2. **Miscellaneous**
 - a. ☐ Suspension of Action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of _____ months (period shall not exceed three months; Fee under 37 C.F.R. §1.17(l) required)
 - b. ☐ Other _____
3. **Fees** The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.
 - a. ☒ The Director is hereby authorized to charge any deficiency in the following fees, or credit any overpayments, to Deposit Account No. 01-2340
 - i. ☒ RCE fee required under 37 C.F.R. § 1.17 (e)
 - ii. ☒ Extension of Time Fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. ☐ Other _____
 - b. ☒ Check in the amount of \$1,606.00 in the amount of \$786.00 for the filing fee and \$820.00 for an additional two-month extension of time is enclosed.

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL <small>Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for the continued examination of a utility or plant application filed on or after June 8, 1995.</small> PAGE 2		
		Atty Docket No. 001268

SIGNATURE BY APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name Donald W. Hanson	Registration No. 27,133
Signature 	Date August 14, 2003
CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, BOX RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:	
Name	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

WASHIZU, Masao et al.

Group Art Unit: 1743

Serial No.: 09/670,399

Examiner: Jennine M. Brown

Filed: September 27, 2000

For: METHOD FOR SEPARATING SUBSTANCES USING
DIELECTROPHORETIC FORCES

PRELIMINARY SUBMISSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: August 14, 2003

Sir:

Prior to examination, please amend the above-identified application as set forth
below:

Amendments to the Claims begin on page two of this paper.

Remarks begin on page thirteen of this paper.